

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STAR JOSEPH,

Plaintiff,

v.

No. 21-cv-0904 JCH-KBM

UNITED STATES ATTORNEY'S OFFICE, *et al*,

Defendants.

ORDER OF DISMISSAL

This matter is before the Court following Plaintiff's failure to prosecute his *pro se* Prisoner Civil Complaint (Doc. 1) (Complaint). The Complaint alleges various federal officials committed treason and racketeering by declining to prosecute recently elected state officials. Plaintiff filed the Complaint while incarcerated. The Bureau of Prisons inmate locator reflects he was released from prison on May 27, 2022. *See* <https://www.bop.gov/inmateloc/>. Plaintiff has not advised the Court of his new address, as required by D.N.M. LR-Civ. 83.6. By an Order entered June 1, 2022, the Court directed Plaintiff to update his address in writing within thirty days or show cause why this case should not be dismissed. *See* Doc. 15. The Order warned that the failure to timely comply will result in dismissal of this case without further notice.

Plaintiff did not provide a new address by the July 1, 2022 deadline, and the Order was returned as undeliverable. Accordingly, the Court will dismiss the Complaint without prejudice under Fed. R. Civ. P. 41(b) for "failure to prosecute [and] comply with the ... court's orders." *Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003). The Court will also deny as moot Plaintiff's pending motions to proceed *in forma pauperis* (Doc. 4); discharge fees and costs (Doc. 5); serve subpoenas and complaint (Doc. 8); and object regarding the assessment of fees and costs

(Doc. 10). The Court will grant Plaintiff's Motion to Proceed *Pro Se* (Doc. 7), to the extent he seeks to withdraw his prior Motion to Appoint Counsel (Doc. 3).

IT IS ORDERED that Plaintiff's Prisoner Civil Complaint filed September 10, 2021 (**Doc. 1**) is **DISMISSED without prejudice**; and the Court will enter a separate judgment closing this civil case.

IT IS FURTHER ORDERED that Plaintiff's Motions to Proceed *In Forma Pauperis* (**Doc. 4**); Discharge Fees and Costs (**Doc. 5**); Serve Subpoena and Complaint (**Doc. 8**); and Object to the Assessment of Fees and Costs (**Doc. 10**) are **DENIED as moot**.

IT IS FINALLY ORDERED that Plaintiff's Motion to Proceed *Pro Se* (**Doc. 7**) is **GRANTED, in part**; and his Motion to Appoint (**Doc. 3**) is **WITHDRAWN**.



SENIOR UNITED STATES DISTRICT JUDGE